Children and Young People's Centre for Justice

UNDERSTANDING DIGITAL CRIMINAL JUSTICE PROVISION:

EVALUATION REPORT

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TABLE OF CONTENTS

01 INTRODUCTION

Understanding Digital Criminal Justice Provision

03 CHAPTER ONE

Brief Review of the Literature: Exploring Digital Provision in Criminal Justice

11 CHAPTER TWO

The Methodology: Describing the Evaluation Design

13 CHAPTER THREE

Mapping the Digital Criminal Justice Provision: Process, Principles and Practice

23 CHAPTER FOUR

Service Providers and Users Experiences of the Digital Criminal Justice Provision

38 REFERENCES

INTRODUCTION

Understanding Digital Criminal Justice Provision

The emergence of Covid-19 in Scotland in March 2020, and the subsequent lockdowns and restrictions that followed, impacted upon all areas of Scottish society. Covid-19 lockdowns and restrictions, at their most stringent, restricted person-to-person interaction, prevented office-based working, and regulated individuals' ability to travel. The functioning of the criminal justice system within Scotland and the delivery of key justice-based services was particularly affected. Criminal justice agencies and stakeholders were forced to quickly adapt and prioritise innovative and creative ways of working to maintain service delivery and meet the needs of service users (see Scottish Government, 2021a).

Within this context, Glasgow City Council (GCC) received funding from the Scottish Government to develop and trial digital approaches to criminal justice provision. GCC consequently established relationships with a number of third sector providers, who could use their existing knowledge and skills to directly deliver the digital criminal justice provision to service users.

Subsequently, GCC commissioned the Children and Young People's Centre for Justice (CYCJ) to conduct research to help GCC and third sector providers pilot and understand the shift to digital justice social work provision in response to the Covid-19 pandemic. The aim was to explore the shape of digital provision in the city, as well as help document and understand the contexts, needs, experiences, and outcomes of both service users and providers.

This research report focuses exclusively on digital criminal justice provision delivered in Glasgow by three service providers - Street Cones, Nemo Arts and Sacro (all strategically overseen by GCC). The fieldwork for this report took place over a ten month period (from January to October 2021) and encompasses qualitative contributions from both service providers and service users. These contributions initially allowed researchers to 'process map' the different types of digital criminal justice provision being offered by each provider, but importantly, also presented rich and detailed insights into a range of potential impacts or outcomes for service users.

This report aims to document the learning from the research in order to inform the shape of future digital criminal justice provision in the city, both during and beyond the pandemic. However, it may help inform justice social work in other local authority areas, who will also have had to adapt their justice service provision in light of pandemic restrictions. It is intended to additionally contribute to enhanced knowledge and understanding about the feasibility and accessibility of digital service provision and the delivery of arts-based orders with justice experienced populations, who are often vulnerable, disadvantaged, or marginalised.

Report Focus

First, a brief literature review explores how current digital criminal justice provision in Scotland has been framed by Covid-19, as well as specific Scottish policy and legislative responses. As part of this examination of the literature, attention is given to the role that digital criminal justice provision has traditionally occupied within existing social work practice, before possible 'benefits' and 'barriers' to incorporating digital methodologies into service practice are explored. The methodological design adopted in the research is then summarised, before the 'processes, principles and practice' underpinning each of the service providers' digital criminal justice provision is mapped - so as to better understand their distinct foci and practice elements. Finally, and most importantly, the reflections of service providers and service users are thematically explored to discern the experience of service users and any potential impacts or outcomes arising from the digital criminal justice provision.

CHAPTER ONE

Brief Review of the Literature: Exploring Digital Provision in Criminal Justice

The literature review explores the role of digital criminal justice provision within the wider landscape of Covid-19, Scottish policy decisions and legislative responses; whilst also considering the potential 'benefits' and 'barriers' of engaging digital methodologies within everyday social work practice. The purpose of reviewing the literature is to place subsequent evaluation findings within greater context - meaning that any connections between key themes can be more easily identified.

Covid-19 and the Role of Digital Criminal Justice in Scotland

Over the course of the pandemic, examples of adaptation and innovation – particularly via the use of digital technologies - have been evident across the Scottish criminal justice system. Within the prison estate for example, virtual visits utilising video conferencing technology have been employed as a means of counteracting the suspension of in-person visits, with more than 29,500 virtual visits having already taken place as of February 2021 (Scottish Parliament, 2021).

The business of courts and tribunals have also seen a clear shift towards digital and remote forms of operating in order to meet a growing backlog in cases; a backlog which has been exacerbated by the pandemic. Examples of digital provision in this area have included: the use of remote jury trials via the creation of 16 remote jury centres; the development of a system of video links between police custody suites and the courts; the ability for solicitors to represent their clients remotely (without their clients needing to appear at court); the piloting of virtual hearings at Sherriff courts; and the transition of the business of the Court of Session to a virtual model (Scottish Courts and Tribunals Service, 2020).

Children's hearings have similarly embraced digital ways of working in the context of Covid-19, at times employing video conferencing to ensure certain panel meetings continue to take place (Children's Hearings Scotland, 2020). The extent to which moves towards digitised forms of criminal justice provision have been wholly positive and effective has already been contested (see for example, Porter, Gillon, Mitchell, Vaswani, & Young, 2021). It is clear nonetheless, that digital methodologies have come to occupy an increasingly important role across the breadth of the Scottish criminal justice system.

Covid-19 and its Impact on Criminal Justice Social Work in Scotland

The requirement to quickly adapt and employ different methods of working following on from the unique challenges presented by Covid-19 have been mirrored within Scottish criminal justice social work practice, and perhaps most notably, in respect of the unpaid work element within the Community Payback Order (CPO).

The CPO, as originally introduced in 2011, replaced community service orders, supervised attendance orders and probation orders. The 'unpaid work or other activity' requirement of the CPO forms just one of nine requirements that the courts can employ at sentencing. Other requirements contained within the CPO relate to supervision, compensation, programme, residence, mental health, drug, alcohol, and conduct (Scottish Government, 2019). The hours associated with the 'unpaid work or other activity' requirement within a CPO can range from 20 to 100 hours (Level One) and 101 to 300 hours (Level Two), with typical activities encompassing both group and individual work, in areas such as landscaping, construction, painting, recycling, along with placements within local community organisations and charities. In 2019-2020 'unpaid work or other activity' was the requirement within the CPO most often used by the courts, with a total of 1,028,000 unpaid work hours being accumulated over the duration of the year (Community Justice Scotland, 2021; see also, Morrison, Buchan, & Wooff, 2021 for additional data).

One strand of adaptation has taken place at a centralised legislative level, where following on from the onset of the pandemic, the Scottish Government moved to enact several key changes to mitigate service pressure on criminal justice social work and alleviate the possibility of unpaid work orders and requirements contained within CPOs being breached due to restrictions relating to physical distancing and associated health and safety requirements. To this effect, the Coronavirus (Scotland) Act 2020, in Schedule 4, Part 6, extended unpaid work orders and other requirements by 12 months. A limitation was also placed on the courts to make sure that any new orders they imposed had a time-limit of a minimum of 12 months.

These actions were seen by Social Work Scotland in July 2020 as "buying the system valuable time" (Social Work Scotland, 2020, p.1), but they also concluded that: "to ensure the safety of staff and individuals subject to orders, and to maintain the viability of the community justice system, legislative action is necessary to reduce the backlog of unpaid work hours" (p.9). Equivalent concerns were also put forward by the Scottish Association of Social Work (2020) in a letter to then Cabinet Secretary for Justice, Humza Yousaf MSP. Acknowledging these concerns, in January 2021, the Scottish Government confirmed that regulations would be put forward "...to reduce the unpaid work element imposed in existing CPOs by 35%, with the exception of those imposed for domestic abuse, sexual offences, or stalking" (Scottish Government, 2021b, p.1) and this provision was subsequently contained within the Community Orders (Coronavirus) (Scotland) Regulations 2021.

Scottish Government centralised legislative actions have been important in easing some of the pressure on the criminal justice social work system and specifically community justice orders. However, the very nature of CPOs, and the 'unpaid work or other activity' requirement, along with additional requirements they contain, means that challenges have remained as to how service users can successfully carry on completing their orders - especially when certain physical distancing restrictions remain in place and further lockdowns cannot be discounted. Given the weighting, as previously described, within CPOs towards the 'unpaid work or other activity' requirement, the practicability of maintaining the status-quo and continuing to work within existing frameworks of service delivery during the pandemic was seen as being highly challenging. This has called for adaptation and innovation at a localised and practice level to deliver CPO work.

The Role of Digitalisation in Social Work Practice

Globally, digital methodologies are beginning to be assimilated into social work practice more routinely (Ramsey & Montgomery, 2014; Chan & Holosko, 2015; Chan, 2016). This trend towards incorporating digital technology into social work practice has also been evident within the United Kingdom (Pink, Ferguson, & Kelly, 2021).

For example, within England - and flowing from the 2016/17 'Building a Digitally Ready Workforce' programme - the Social Care Institute for Excellence (SCIE) and British Association of Social Workers (BASW) launched in March 2020 a 'digital capabilities framework', along with supplementary resources, designed to enhance social workers' digital and technological competences. Practically, within social work in England, digital technology has already been used to explicitly meet the needs of social work service users. For example, Action for Children, following on from a successful pilot in Bolton Children's Rights Services, rolled-out their 'Mind of My Own' apps across their fostering services aimed at helping children communicate their thoughts from a tablet or phone screen, with their social worker or lead worker.

Social workers in East Sussex Council have also for some time been using WhatsApp as a way for very vulnerable 14 to 24 year-olds to keep in touch with their social workers, as well as employing Skype to undertake virtual home visits (Social Care Institute for Excellence & British Association of Social Workers, 2019). In Scotland, 2014 saw a Digital Strategy for Justice in Scotland produced (Scottish Government 2014); followed by the creation in 2018 of a Justice and Digital Strategy Team within the Justice Directorate of the Scottish Government. Certain digital innovation has followed in the form of a new online Civil Justice Case Management system; video equipment being situated in remote settings for vulnerable witnesses to give evidence; and online systems established for paying fines (Scottish Government, 2018). Here, however, the shift to incorporate digital methodologies into Scottish criminal justice social work practice has had to be rapidly accelerated during Covid-19, with contact with service users during the pandemic increasingly "being made by telephone with some video platforms being used such as Skype and WhatsApp" (Social Work Scotland, 2020b, p.2).

As depicted - even pre-dating Covid-19 - a clear drive to promote the use of digital technology within social work provision was already evident within parts of the United Kingdom; however as Pink et al. (2021) have determined, the arrival of Covid-19 has noticeably accelerated this trend.

Potential Benefits and Barriers to Digitalised Social Work Practice

Examination of the literature does suggest that a shift towards utilising digital methodologies in social work practice can potentially bring certain benefits, for instance:

Accessibility

A key advantage of employing digital methodologies in social work practice is that it potentially allows greater accessibility to service users who possess a serious disability; who live long distances from social work offices (or may not have the finances to afford transport costs); or who are not available during daytime hours, due to work commitments or other responsibilities. The use of digital technology therefore potentially widens access to groups that are traditionally more difficult to reach in person (see Reamer, 2013; Barsky, 2017). For service providers, engaging digital technology – e.g., to undertake virtual visits - may in certain circumstances also prove more efficient. Recent research interviews undertaken with social workers found that they believed that digital technology could support time saving in their day-to-day work (Social Care Institute for Excellence & British Association of Social Workers, 2019).

Adaptability

The ability for digital methodologies to quickly adapt to the unique challenges presented by events such as Covid-19 is also valuable. For example, Pink et al. (2021) in their research with social workers during Covid-19 found that certain practitioners felt that a virtual visit was more intimate than visiting a household in-person wearing a facemask and other forms of Personal Protective Equipment (PPE). As one social worker explained: "I would rather have a difficult conversation with somebody over video link...so that they can at least see my whole face...." (Pink et al. 2021, p.8). The same authors go on to argue that digital methodologies following on from the pandemic could be here to stay and may be best used in a 'hybrid' capacity, where face-to-face and technological practice operate in tandem to meet the specific needs of service users.

Applicability

Data for 2020/21 suggests that of children 12-15 years old, 59% had their own tablet and 91% owned their own smartphone, with 91% of this cohort using messaging apps/sites and 60% using live streaming apps/sites (Ofcom, 2021). Given these statistics, it may be that certain groups - for example children - are increasingly comfortable engaging with social workers via the use of digital technology (see Barn & Barn, 2019 for research into the use of apps in youth justice). Digital ways of working may therefore potentially provide children with added flexibility to communicate, engage with and receive information from social workers in a manner that works best for them, rather than being tied to a rigid in-person visit.

Equally however, employing digital methodologies in social work practice can also create potential challenges (e.g., barriers) for both service providers and users.

Service User Digital Exclusion

The internet, social media apps and other forms of digital technology have become a central feature of everyday life and how society functions, yet Office for National Statistics (2019) data reveals that as of 2018 there remained 5.8 million adults in the UK classified as being 'internet non-users'. Digital exclusion - particularly against the backdrop of Covid-19 - naturally possesses significant consequences for social work practice where online digital methodologies are being increasingly used. In a recent survey undertaken by the BASW, which explored social work during the Covid-19 pandemic, 69.7% of respondents "agreed that they had encountered more difficulties in communicating with service users because of the digital exclusion experienced by the latter." (British Association of Social Workers, 2021, p.3). Significantly, the UK Government, in its 2014 'Digital Inclusion Strategy', acknowledged that individuals engaged with the criminal justice system have a 'higher tendency' to be digitally excluded (UK Government, 2014).

In Scotland, a combination of societal inequalities and the geographical make-up of the country, including significant rural populations, has resulted in unequal digital access and digital exclusion (see Inspiring Scotland, 2020). A 2018 Citizen's Advice survey identified "a significant number of Bureaux clients who face digital exclusion", with nearly one in five (18%) respondents reporting that they never used the internet (Citizens Advice Scotland, 2018, p.1). The issue of digital exclusion has more recently been identified within the report Digital Progress in Local Government where it was determined that "digital exclusion is still a significant issue" for service users (Audit Scotland, 2021, p.18). In respect of criminal justice social work in Scotland, in a recent letter to the Clerk of the Justice Committee, Social Work Scotland cautioned that: "JSW is committed to innovating and incorporating technology where appropriate…but it is important to note that opportunities to do so are restricted by the ability of JSW clients to access and use technology themselves" (Social Work Scotland, 2020b, p.2).

Examination of the literature suggests that practical barriers to achieving digital access for service users frequently include: the cost of purchasing digital devices (Good Things Foundation, 2020); broadband/WiFi charges (Holmes and Burgess, 2020); and the lack of a stable or reliable broadband/WiFi connection - often because of geographical location (Citizens Advice Scotland, 2018).

Service User and Service Provider Digital Proficiency

In addition to service users being able to have the connectivity to access the internet and digital technology, they also need to possess relevant digital skills. Lloyds Bank UK Consumer Digital Index (Lloyds Bank, 2020) found that approximately 9 million people were unable to use the internet and their device of their own accord. Citizens Advice Scotland (2018), via a survey, also found that 18% of respondents had difficulty working their computer, whilst 16% could not use one in any capacity. For individuals engaged with the criminal justice system, and who may have experienced time in detention away from technology, adjusting to the pace of digital change in society may be especially challenging (Prisoner Learning Alliance, 2020).

It is to be expected that service providers should be generally IT literate and used to working on digital devices such as computers, tablets, and mobile phones. However, a survey undertaken in 2019 found that on-the-job training around digital technology was rare among social workers, with 27% of respondents having received none in the past two years, and a further 55% having had training only once or twice during that time (Social Care Institute for Excellence & British Association of Social Workers, 2019). Despite this fact, most respondents in the survey did rate their digital skills as 'good' (47%) or 'very good' (31%). Within Scotland, a recent report underlined that "Councils do not have enough staff with the required digital skills to implement their digital plans successfully" (Audit Scotland, 2021, p.20).

Digital Responsivity to Service Users Needs and Requirements

The speed at which local authority social workers were expected to respond to the unique circumstances of Covid-19 resulted in their frequently having to employ off-the-shelf digital technology. Although understandable in challenging circumstances, recent research incorporating the views of social workers has drawn attention to the necessity for co-production principles to inform digital methodologies moving forward (Social Care Institute for Excellence & British Association of Social Workers, 2019). Within Scotland this finding has been echoed in a report looking at the digital progress being made within Scottish local government. The report stresses that "user research and service design methods are not yet well established in councils" and cautions that "Councils have neither the tools nor sufficient staff with the skills required to carry out user research and involve users in service design." (Audit Scotland, 2021, p.16). These findings suggest that until service user centred approaches are comprehensively ingrained within digital social work methodologies, the full potential of such approaches may not be realised - especially for groups such as children and young people, individuals possessing speech, language, and communication needs, or those who are unable to communicate in English (see Carnegie Trust, 2020). This is especially important within justice, as adults engaged in the criminal justice system in Scotland (in custody or in the community) have disproportionately greater literacy needs than the rest of the adult population (Scottish Government, 2010), whilst it has been estimated that over half of children who have offended in Scotland will possess speech, language, and communication needs (McRae & Clark, 2020).

Ethical Dilemmas

Any transition from conventional face-to-face social work practice to one which employs digital methodologies brings with it certain ethical dilemmas (see Mishna, Bogo, Root, Sawyer, & Khoury-Kassabri, 2012; Reamer, 2013; Barsky; 2017). Initial concerns exist around whether digital and virtual methodologies allow social workers to fully engage formal, sensory, and atmospheric skillsets (Pink et al. 2021). The use of digital methodologies may also possess implications for service-users' privacy and confidentiality. As Reamer (2013, p.167) has emphasised "encryption is more challenging for some forms of technology than others", and this may especially be the case in respect of video-conferencing applications, where ensuring robust encryption could prove to be a challenging task. Even where service users possess a secure connection, they may not always have privacy in the location or setting in which they are taking the video-call; something which can prove difficult for a social worker to accurately assess or sense within an online setting (Pink et al. 2021).

Employing digital methodologies to undertake social work practice may also run the risk of 'practitioner privacy/intrusion' becoming more normalised (e.g., overriding professional boundaries), with Mishna et al. (2012, p.282) based on research they undertook with social workers, finding that: "E-mail, text messaging, Skype, and other forms of cyber communication were considered major contributing factors to the growing perception of social workers being available at any time of day."

The remainder of this report documents the experiences of individuals engaged in digital community justice provision, and considers the extent to which these key themes identified within the literature may also have been experienced by these service providers and users. The methodological design approach to this work is outlined in the following section.

CHAPTER TWO

The Methodology: Describing the Evaluation Design

The research adopts a qualitative constructivist methodological approach, with the intention of capturing insights and experiences of service providers and users in relation to the digital criminal justice provision.

Ethics

The research was given ethical approval by the University of Strathclyde's Ethics Committee and was also approved through the Glasgow City Health and Social Care Partnership external research application process.

Sample

In the first phase of the research, a total of three qualitative semi-structured interviews were undertaken with service leads and workers from each of the three providers (e.g., Street Cones, Nemo Arts, Sacro). Here, a 'purposive' sampling approach was adopted, as service leads, and workers needed to be recruited according to their professional expertise and knowledge in facilitating the digital criminal justice provision. The interviews were necessary in order to gain an insight into the 'processes, principles and practice' underlying the different types of digital criminal justice provision being offered by each provider.

In the second phase of the research, a total of ten qualitative semi-structured interviews were undertaken with service users engaged with the digital criminal justice provision - of these, four service users were engaged with Nemo Arts, six with Street Cones and none with Sacro. An 'opportunity' sampling approach was adopted, with these interviews seen as necessary in order to gather the experiences and reflections of service users regarding the online provision, along with any potential impacts or outcomes it may have possessed for them.

In the third phase of the research, a total of four qualitative semi-structured interviews were carried out with service leads and workers from the three providers. Additionally, a further interview was carried out with a Senior Service Manager from GCC.

A ‘purposive’ sampling approach was adopted, based on service leads and workers’ professional knowledge and experience, with the aim of gathering their reflections, insights, and experiences of delivering - and strategically overseeing - the digital criminal justice provision.

Sample Limitations

Unfortunately, despite the efforts of stakeholders and researchers it was not possible to secure any interviews with Sacro service users as to their experiences of the digital criminal justice provision. The structure of the Sacro provision, where service users were not necessarily known to Sacro workers may have contributed to this, along with wider challenges around securing consistent referrals to the provision (see findings).

Other data collection methods aimed at collating a breadth of information from a wider range of service users, such as an online survey about digital skills and confidence prior to the programme commencing, and a follow-up online survey exploring experiences and impact, proved tricky for providers to distribute while maintaining service user confidentiality, as well as potentially being less engaging for service users. The findings from this report are therefore drawn solely from interviews and it is important to highlight that the sample of service users is small, and consequently should not be seen as being representative. Nonetheless, it does provide important insights into service users’ experiences of the digital criminal justice provision, which can potentially be used to inform future service delivery in this area.

Analysis Framework

Semi-structured interviews were either video-recorded using Microsoft Teams or Zoom, or alternatively, audio-recorded using a Dictaphone. Transcripts from video and audio files were subsequently downloaded by the researchers. Using NVivo software - and engaging the thematic analysis framework developed by Braun and Clarke (2006) - a series of themes and codes were identified, which formed the basis of the thematic findings encompassed within the report.

CHAPTER THREE

Mapping the Digital Criminal Justice Provision: Process, Principles and Practice

The start of the pandemic in early 2020, and the restrictions that followed, had profound societal impacts which extended to criminal justice service delivery and notably the unpaid work element of the Community Payback Order. With traditional means of carrying out and reducing unpaid work hours in the community no longer being accessible - and a growing backlog of unpaid work hours accumulating - Glasgow City Council (GCC), like many other local authorities in Scotland, required a working solution that would allow service users to continue carrying out specifically their unpaid work 'other activity' hours.

Against this backdrop, GCC and the arts charity Street Cones reconnected with one another, having previously worked together during the development of a community sentence themed lived experience film. Prior to the pandemic, Street Cones had already built up considerable expertise and experience in delivering workshops to groups of individuals engaged with the criminal justice system, and consequently, discussions were held between senior management of both organisations to determine whether Street Cones workshops could be digitally adapted to help service users carry out their unpaid work 'other activity' hours. Here, an unpaid work requirement provides the opportunity, within certain stipulated limits, for an individual to carry out 'other' rehabilitative activities which promote desistance. The 'other activity' must not surpass 30% of the stated number of hours in the requirement, or 30 hours, whichever is the lower.

"...when we hit lockdown, we started having discussions about moving some of the group work programmes that they [Street Cones] were already providing in prison to an online forum. And would that work within the world of unpaid work, because it would give clients an opportunity to basically reduce their hours a little bit whilst they were unable to actually do physical unpaid work in the community - like the traditional squad placements like painting fences or being in a personal placement like a charity shop or community centre - because obviously they were all shut down."

[Glasgow City Council, Senior Manager]

Significantly, the restrictions resulting from the pandemic had also severely impacted upon Street Cones' conventional service delivery model, with their in-person workshops having to be postponed. As one Street Cones Manager explained: **"…all big charities and small charities were shutting the doors because of the impact that the pandemic had on them."** The link-up with GCC to deliver online digital workshops for criminal justice service users was therefore mutually beneficial for both organisations. This was followed by a similar arrangement with the mental health charity Nemo Arts, who (like Street Cones) had previous experience of delivering their workshop sessions within justice settings:

"…before lockdown we would do a lot of work in prisons, and we would work with people with a justice background. But we've not done this… you know… it's not been about people's hours before, so this is a new thing….there was a great demand for trying to get people's hours through, and we thought, 'oh well, we can help with the unpaid work hours'. So, we offered the service that we're currently providing - and they [GCC] said yes."

[Nemo Arts, Senior Manager]

Again, given the constraints on carrying out face-to-face group work with service users, the partnership with GCC to deliver existing sessions in a digital format suited the aims of Nemo Arts, at a time when conventional methods of providing services had been curtailed. Around this period, Sacro (as a key organisation within the Scottish criminal justice sector) were approached by GCC to see whether their existing skills and services could also be digitally adapted to meet the needs of criminal justice service users. Here, Sacro already had a functioning E-Learning suite, had begun to move their STOP provision online (their anti-sectarianism and hate crime service) and also had experience of working with clients situated in remote locations (for example, individuals located on oil platforms, etc.). Following discussions with GCC, the decision was made for Sacro to produce a series of online independent learning modules that could be remotely accessed by service users.

Provider Expertise and Digital Proficiency

As highlighted, all three providers had a track record of being highly skilled in their area of service delivery, as well as having already worked within criminal justice settings with individuals displaying offending behaviour - an important consideration for GCC. Crucially however, all three organisations also had key members of staff who were already IT literate and could therefore assist in developing and delivering the digital provision effectively:

"…we were just dead lucky that our whole staff team are quite technical. You know, we are very IT literate." [Nemo Arts, Service Manager]

"…we were probably one of the very lucky organisations. We were digitally transformed in January of 2020 as an organisation…" [Sacro, Service Manager]

"…the question was what can we do to continue to provide services and to continue to basically keep our doors open, and my suggestion was start delivering in person workshops online, because at that time I was doing it with success." [Street Cones, Service Manager]

Notably, in the case of Sacro, a specific member of staff who possessed advanced IT skills (e.g., could help create the online module interface and develop the content), and had previous experience of working with criminal justice service users, was engaged to help facilitate the independent learning modules.

In deciding upon the specific content that should be incorporated within the digital criminal justice provision, GCC gave significant latitude to each of the three providers as to the form it should take. As a GCC Service Manager explained: "how they do their bit is entirely up to them." Where there was GCC input, it was largely to ensure that the digital criminal justice provision was compatible with the technical aspects of an unpaid work 'other activity' order, and also suited service user needs (e.g., number of hours per session or module, timings, etc.). Additionally, it was important for GCC to ensure that relevant safeguarding and ethical procedures had been carefully considered by providers before each of the services went live:

"Some of the earlier discussions were about… how do you safeguard people; particularly if they are quite vulnerable? How do you manage issues around maybe disclosures; people who have got obvious mental health issues on the day? How do you manage any tension or any you know negative dynamics between some of the participants?"

[Glasgow City Council, Senior Manager]

Although all operating within an online context, the format, focus and content of the digital criminal justice provision differed between each of the three providers. The precise format, focus and content (e.g., the workings) of each is described more fully below.

Street Cones' Digital Criminal Justice Provision

Street Cones' digital criminal justice provision took the form of a twice weekly (Tuesday morning and Thursday afternoon) two-hour online workshop, over 12 weeks - utilising the Microsoft Teams platform. Service users were able to login to the workshops using their own computers/laptops, tablets, and also, their mobile phones; via both WIFI and 4G networks. Here, the flexibility these access options afforded service users was highlighted by a Street Cones Service Manager:

"…you can download teams on your telephone, so you don't even need a tablet or laptop, and you don't even need Wi-Fi, you can use your 4G. So, we have actually had participants in workshops, for example in homeless accommodation, where basically they have no WiFi and all they've got is a phone." [Street Cones, Service Manager]

Each week, service users gained access to the workshop via a link that was emailed to them by the Street Cones Engagement Officer, along with a set of instructions. Significantly however, in the event of experiencing any sort of difficulty in initially downloading Microsoft Teams to their device or difficulty logging into the session, Street Cones support staff were on hand to provide the necessary assistance. As one Street Cones service user emphasised:

"…you just need to phone Street Cones, the [support staff] will come onto you and [they] will walk you through it. So even if you couldn't do it, [they] won't give up on you, [they] will say try this, try this." [Service User I, Street Cones]

The only caveat to this IT support being that Street Cones support staff could not necessarily offer diagnostic fixes to problems with service users' individual devices – owing to not being able to see or handle the devices in-person.

The Street Cones' Workshop: Structure and Content

For new service users referred to a Street Cones workshop, they were initially briefed by facilitators on the house rules underpinning the sessions, by which all participants were expected to abide. Here, a key rule or principle that all service users were made aware of at the outset, was that the sessions operated in line with what has been termed a 'privileged environment'.

Initially this meant that when logging in to the workshop, service users only needed to use their first names (not surnames) and were also not encouraged to share any personal details or identifiable experiences during the session. Street Cones' workshops in Glasgow were mixed, but predominantly attended by males, covering a wide age range.

In its working structure, each workshop was two hours in duration (which went towards a service users' unpaid work 'other activity' hours), overseen by two members of Street Cones staff (e.g., facilitators who have a strong background in the creative arts) and consisted of two distinct elements or parts. The first hour of the workshop involved service users taking part in a range of icebreaker activities; for example, games, quizzes, and group exercises designed to make participants feel at ease and build trust with one another. This was followed by a short comfort break, before the second hour which involved service users working together to develop a script. The script developed organically within the group - assisted by the facilitators - around certain key themes and engaged a variety of fictional characters and story worlds. Here, a number of the Street Cones service users explained the script development process in the following terms:

"… it all came from within ourselves, and from within the conversation we had… another person would add a wee bit [to the script], somebody else would say 'oh that sounds good, but what about with this twist?'" [Service User G, Street Cones]

"…the whole group decides…we all throw our ideas into the hat and what inevitably happens is somebody comes up with an idea and we all go 'och yeah!'… you know how there is a lightbulb moment for each one of you…and then sometimes I will come up with a belter and we build it up from there…" [Service User I, Street Cones]

Commonly script themes have touched on areas such as addiction, relationships, and mental health; with recent scripts produced by Street Cones service users in Glasgow specifically looking at the theme of bullying and homosexuality [see the production: 'Broken Windows'] and suicide [see the production: 'Suicide is Preventable']. As already identified, in focusing on these themes and developing the script, the privileged environment principle is observed, meaning that although service users can draw upon their own lived experiences, they are asked not to identify the difference between what is reality and what is fiction. Significantly, service user participation in both hours of the workshop is flexible; that is to say, as long as they can demonstrate they are listening to Street Cones facilitators and responding to their questions [i.e., type in the chat box], there is no pressure for them to keep their camera turned on or have their microphone unmuted throughout the proceedings. Ultimately, however, as one Street Cones Service Manager explained:

"Every module has one thing in common and that is, you know, week one you start with a blank page, and by week 12, that group has created a script of some description." [Street Cones, Service Manager]

A key feature of the Street Cones module is that at its conclusion - once the script has been finalised; service users then have the option of taking part in a performance for an invited audience, such as a case manager or social worker, family, and friends. If the service users are happy, this is also then turned into a short film, which is shown as part of a live event, and followed by a live Q & A (this is then displayed on Street Cones' social media).

Nemo Arts Digital Criminal Justice Provision

Nemo Arts' digital criminal justice provision took the form of a weekly [Tuesday afternoon 12-2pm] two-hour online visual arts workshop, over 15 weeks, utilising the Zoom platform; with the hours each week going towards a service user's unpaid work 'other activity' hours. As part of the online provision, Nemo Arts supplied service users with tablets and data sims to allow them to access and take part in the workshops. In the event of service users having any difficulty logging into the online session, Nemo Arts staff were available to provide advice and support prior to the workshop. As a Nemo Arts Senior Manager explained:

"… we went through the process of logging into the session - but it's quite easy, because once you've done it once it remembers it - and it's just a couple of clicks and that was fine. So, some people you would need to do that weekly, you know you'd phone them up maybe half an hour or something before the session and go through that again. But you know, maybe after three or four times then they are able to start to do that themselves."

[Nemo Arts, Senior Manager]

In addition to the tablets and data sims, Nemo Arts also provided service users with an art pack comprised of paints, brushes, canvases, masking tape, and pallet knives required for the workshop. Here, in the event of these essentials being used up during the 15-week module, Nemo Arts could arrange for more supplies to be sent out to them (this also extended to replacing broken tablets where required). Ultimately however, it was assumed that service users would be starting with nothing and so the development of the service user art pack was an important and necessary consideration.

Nemo Arts workshops in Glasgow were mixed, but predominately attended by males, with around 15 service users taking part at any one time.

The Nemo Arts Workshop: Structure and Content

The Nemo Arts workshop offered service users a step-by-step introduction to the basics of painting. Each workshop was overseen by a Nemo Arts facilitator (an artist) whose camera occupied the main or central Zoom screen. Each week the facilitator picked a reference picture or painting for the whole group and provided step-by-step tuition and basic techniques relating to how best to break the picture down into segments, so that it became easier to paint. Service users were then encouraged to have a go at painting the picture, using these step-by-step instructions and techniques, with the artist on hand to answer queries or provide support where needed. The benefit of this approach was described by a Nemo Arts service user:

"… it was nice to just be like here's beginner acrylic paints and I'm going to show you how to use them. This is what acrylic paints are good at and this is what they're bad at. So, I'm going to show you what they're good at…so you just follow step by step." [Service User B, Nemo Arts]

The step-by-step tuition was important as the vast majority of service users who entered into the workshops possessed no existing artistic experience. Although different techniques were shown to service users (i.e., how to use the paint brushes in different ways to creature texture, etc.) the majority of the painting in the workshops was done using acrylic paints. This was primarily because if service users made a mistake using acrylic paints, this could be rectified much more easily as compared to using oil or watercolour-based paints.

Significantly, given the wide range of abilities typically present within the workshop, the Nemo Arts artist needed to not only have the artistic skills necessary to deliver the session, but also, needed to ensure that service users did not feel overwhelmed or anxious (particularly given that many would have no previous experience of painting and may have found the idea daunting). Here, a number of Nemo Arts service users highlighted how important the artists contribution was in ensuring they felt comfortable and at ease during the workshop sessions:

"You couldn't have got a nicer guy to do the course, he was on your type of wavelength…he made the order as well for me…" [Service User D, Nemo Arts]

"And also, the guy doing it. He is so good he is easily the best teacher like I think I've ever had. It's really cause he's so patient…" [Service User C, Nemo Arts]

Although there is no formal presentation of service user's artwork at the conclusion of the module, there have been examples of service users setting up informal networks via WhatsApp in order to share their artwork with one another.

Sacro Digital Criminal Justice Provision

Sacro's digital criminal justice provision took the form of online independent learning modules utilising the Learn Pro platform; thereby, allowing service users to access and complete the modules at times convenient to them (e.g., around work, caring commitments, other appointments, etc.)

To assist service users in completing the online provision, Sacro secured around 20 tablets with data sims, and 15 smartphones, as well as a number of further devices via funding from Connecting Scotland. Here the Learn Pro platform is designed in such a way as to be adaptable to a range of devices (e.g., allowing content to fit to the screen size).

Prior to the service going live meetings were setup with referring social workers and team managers, where they were walked through the modules interface and content (via screen share), allowing them to see it from the service user's perspective. This was designed to give the referrers context and reassure them as to the content. Once referred, service users received an automated email containing their login details required to access the online independent learning modules. Significantly however, Sacro also offered a number of twice weekly 'drop-in' session via Microsoft Teams, in case service users experienced any IT difficulties regarding either logging-in or in relation to navigating the modules. Moreover, service users were also asked to undertake a 'digital skills assessment', allowing the Sacro Administrator to determine whether any additional IT support for that particular service user was required.

In its structure, the online independent learning consists of a series of modules, each roughly an hour long, designed in such a way so as to allow the Sacro Administrator to be able to keep track of the progress being made by each individual service user (e.g., via different reports, assessment scores, etc.). Of these modules, five are compulsory modules which all service users referred to the service are expected to undertake; these relate to the following key areas:

-Effective communication
-Positive relationships
-Attitudes, behaviours, and consequences
-Mental health and wellbeing
-Digital skills (online safety)

In addition to these five compulsory modules service users were also able to choose from a library of up to 30 other optional modules. Here, social workers could suggest to the Sacro Administrator which modules might be best suited to the needs of a particular service user. The layout of the modules was purposefully designed to be as engaging as possible, avoiding long streams of text. As a Sacro Service Worker explained:

"We've built in a lot of images and interactions, as much as there is text, I think it's really important that people are able to engage with it." [Sacro, Service Worker]

"We try and include links to things as well, so if they want to look at additional resources… they don't need to go and then seek out that link or those contact details, they can just do it straight off of the module…tried to embed videos and things as I said, so that people have different ways of learning." [Sacro, Service Worker]

In developing the design and layout Sacro also took the opportunity to consult with Dyslexia Scotland around the colours and themes used, so as to ensure it was accessible to a wide range of groups. Additionally, before any of the module content went live, a review process was undertaken with senior Sacro Managers who offered feedback and suggested amendments on design, layout, and content of the modules.

Initial Challenges in Establishing Digital Criminal Justice Provision

From the initial process mapping interviews undertaken with providers, a number of challenges or barriers to establishing the digital criminal justice provision were highlighted. Some of these themes are worth emphasising more fully.

Language Barriers

Sacro Service Managers and Workers drew specific attention to early challenges they experienced around how best to make their independent online learning modules work for individuals for whom English was not their first language. As a Sacro Manager explained:

"One of the gaps we have identified… and we've spoke to the local authority about it…. because there's quite a big a demographic mix in Glasgow, in terms of different languages, to translate it into one language is two and a half thousand pounds."

[Sacro, Service Manager]

Given the wide range of languages spoken within the Glasgow area, and the high cost of translating the online provision into potentially multiple languages, the feasibility of doing this in every instance was challenging. In order to meet this immediate need for certain Sacro service users, GCC provided a translator who could talk through the content of the modules. How practical this would be in the event of higher numbers of service users requiring translation services is worth consideration.

Digital Exclusion

Despite clear efforts to equip service users with IT hardware and/ or provide IT support, a number of providers early on identified digital exclusion or lack of digital skills as still being a potential barrier to engagement. For example, providers stated that:

"I mean one of the main issues as well is access to devices, because it is a requirement of the service, but I think for a lot of the people we support they don't necessarily have a digitally enabled device." [Sacro, Service Worker]

"…there are also two other categories of individual who are very much in the minority…the first type of individual is the person who has no Internet access. You know they don't have a smartphone; they don't have Wi-Fi…and I think it's a bit of a grey area. I think some caseworkers just basically tell the person that they can't get access without internet access. And I think other caseworkers are maybe trying to come up with some kind of solution or some kind of plan. It seems to be something that's left to the discretion of the caseworker." [Street Cones, Service Manager]

Significantly however, there was also acknowledgment from certain providers that a section of service users (albeit a small minority) may simply not possess sufficient digital proficiency to take part in online services. As a Street Cones Service Manager explained:

"The other type of individual is the person who does have internet access but struggles so much with technology. And you know, so, I mean, we literally have some people who struggle sending a text message…" [Street Cones, Service Manager]

Referral Pathway/ Process

The referral pathway/process was similarly highlighted early on as an area that at times could have worked more efficiently. For example, certain providers highlighted that initial uptake to the online provision was low (although, given it being a new digital resource and way of working, this was perhaps to be expected, and fine tuning to the process a predictable adjustment).

"Very low numbers [of service users] at the minute, because we only launched it, I think a few weeks ago… But I think that will come, I think the easing of lockdown will make it easier, because the [Sacro Worker] will be able to get back into the local authority office to some degree." [Sacro, Service Manager]

"The initial hurdle seems to have been that the social workers were unsure about what it is we were offering, so it took a while for that information to become clear, and I think people as well, which is perfectly understandable, were thinking how on earth is that going to work? So, it took a while… So, we got like 2 referrals in before Christmas - we were actually supposed to be starting in November - but we had to then put it back because we just didn't have enough people." [Nemo Arts, Service Manager]

In the case of Nemo Arts, it was noted that following a meeting with social workers to explain the aims, objectives and content of the workshops, the rate of referrals for their initial (first) programme steadily rose.

Building on the above 'process' analysis, the following section examines more specifically, service providers and users' experiences of facilitating and engaging with the digital criminal justice provision.

CHAPTER FOUR

Service Providers and Users Experiences of the Digital Criminal Justice Provision

A series of qualitative interviews were carried out with both service providers and service users in order to understand their experiences of the digital criminal justice provision. Initially, thematic attention is given to those positive features that both service providers and service users perceived as stemming from the digital criminal justice provision. Some possible challenges and areas for consideration within the provision are then underlined, before reflections on the future of digital criminal justice provision are highlighted.

Positive Features of the Digital Criminal Justice Provision

Accessibility, Flexibility and Privacy

Initially, a number of service users and service providers commented positively on the accessibility and flexibility afforded by the digital criminal justice provision. Here, attention was given to the very real practical benefits of simply being able to log in to the online provision (often in their own homes), rather than potentially having to pay to travel on public transport - for long periods of time - to a specific location within Glasgow. As certain service users explained:

"...if I had to go down to the town, just for instance right, I've got to leave here an hour earlier to get into the town, and then it takes approximately an hour to get back – there's 4 hours of your day, but you are only getting down for 2 of them." [Service User D, Nemo Arts]

Furthermore, a number of service users specifically emphasised the accessibility and flexibility that the digital criminal justice provision offered to those individuals struggling with addiction or possessing unpredictable routines. Here, service users commented:

"…you know what it's like you've got a lot of people who've got addictions and whatever, they don't want to get out of their beds or go travelling to places to pick up spots, or whatever you need to do, but now you just need to get up and go on your computer or phone or whatever you have to do it on." [Service User J, Street Cones]

"…it was personalised, aye that's the word for it, tailored to yourself…and my life is chaotic at the best of times…and that just fitted perfectly into my life at the right time." [Service User D, Nemo Arts]

Significantly, this finding reflects a key theme to emerge within the existing literature on digital provision (see Reamer, 2013; Barsky, 2017) which stresses accessibility as an important strength of incorporating online methodologies into everyday social work and criminal justice practice. This is especially the case for persons with a serious disability; who live long distances from social work offices (and may not have the finances to afford transport costs); or who are not available during daytime hours, due to work commitments or other responsibilities.

Positively, there was a consensus from the service users that they had sufficient privacy and the necessary space to undertake the digital criminal justice provision. In part, this may be due to the fact that they could use not only computers and laptops, but also much smaller devices - such as tablets and mobile phones - to login to the workshops and could also use these in a variety of locations if required (owing to 4G/data sims/WiFi). Here, there were examples of service users using these in homeless shelters and hospitals. Although, in the case of Nemo Arts, greater space was required for the canvases, paints and brushes, this was not raised as a particular issue of concern during the interviews. As one Nemo Arts commented: **"you just set up a wee station"** [Service Users D, Nemo Arts]

Digital Equipment and Hardware Supplies

In order to participate in online workshops, it was essential that service users possessed key digital and hardware equipment and supplies to enable them to do this. In the case of Nemo Arts, service users were provided with tablets and data sims, as well as an art pack consisting of canvases, paints, brushes, and other key essentials.

"I was given all the paints and other canvas materials you need." [Service User B, Nemo Arts]

"… they were very good with us; they supplied a tablet" [Service User A, Nemo Arts]

Significantly, what was also evident was that Nemo Arts participants not only welcomed the digital equipment and hardware supplies initially being provided, but also the fact that facilitators were quick to respond to their needs and support them - if for example, a tablet became damaged, or they had run out of a particular art supply.

"… when we were doing the Nemo Arts the first two weeks, it kept shutting off [the laptop] and the guy that was running it was like, 'do you want me to just send you a tablet?' And I was like, 'well I don't want to take advantage, but it would be easier', so they sent me a tablet out, which broke, and then they sent me another one which was really nice. So yeah, I got a tablet from them as well, which was really nice." [Service User C, Nemo Arts]

Facilitator Expertise and Suitability of Sessions

Many of the service users interviewed commented favourably on facilitators' expertise and skillsets, and importantly, the way in which they created a relaxed environment. Here, given the wide range of abilities typically present within the Nemo Arts and Street Cones workshops, the facilitators needed to not only possess the relevant skills and expertise to deliver the content effectively within a novel online setting, but also needed to ensure that service users did not feel overwhelmed or anxious owing to potentially not having any previous artistic or creative experience. It was therefore extremely positive that many service users felt adequately supported by facilitators to engage effectively within the online workshops. As service users remarked:

"I used to look forward to it (laughs), honestly, it was great, and the [facilitator] that takes it, I cannot tell you, [facilitator is] brilliant, [facilitator] works so hard." [Service User A, Nemo Arts]

I mean [facilitator] and [facilitator] who run ours, they are funny, they give you time, they don't rush you, they ask the right questions, at the right time. They are really really good at what they do." [Service User I, Street Cones]

Aside from individual facilitators' expertise and skills, interviews with service users also indicated that the sessions were purposefully constructed and pitched in such a way as to take into account participants' different levels of ability. The importance of adopting this approach to the design and delivery of the online sessions was necessary to ensure that participants did not become overwhelmed by the content, leading to them feeling disengaged or confused. To this point, as one service user underlined:

"It was very well explained… it really was. There were different grades…I'm no very good with words mate… but there was different levels of ability if you like and they catered for every level of ability you know, so it was pretty good in that sense you know what I mean?" [Service User G, Street Cones]

What is more, there was also recognition from certain service users that the online sessions catered for participants possessing speech, language, and communication needs [SLCN]. Given the high propensity for SLCN within the criminal justice system, this is particularly significant. (McRae & Clark, 2020).

Workshop Dynamics: Safe Space, Peer Support and Relationships

During interviews, a number of service users commented on particular 'dynamics' present within the Street Cones and Nemo Arts online workshops. A number of key themes emerged which are necessary to highlight more specifically.

a. Safe Space

When speaking about the dynamics of the online workshops, a clear theme to emerge from Street Cones service users was that they felt that they were engaged in a 'safe space'. What became evident was that this was in large part due to facilitators respecting the fact that different participants possessed different levels of confidence, and therefore refrained from forcing or pressuring them into participating against their will. As a service user attested:

"See, the whole atmosphere of the group, you could tell we all came out of our shell - it's all about your own confidence level, nobody is ever like: 'What do you think of this? I'm giving you this dialogue, what are you giving me back?' [makes panic sound]. There's nothing ever forced, like you can do it any way shape or form, whatever you want." [Service User H, Street Cones]

Significantly, in the case of Street Cones Service Managers, creating a 'safe place' was an important consideration that was given careful attention even from the outset. At a very practical level, as one Street Cones Service Manager explained:

"If a facilitator asks you a question, then you need to be able to respond, but when it comes to like participating in the games and exercises in the first part or participating in the fictional element in the second part, it's OK for you to say pass…Even switching your camera off, that's OK, you know." [Street Cones, Service Manager]

Crucially, this was accompanied by the 'privileged environment' principle, which is always adopted within Street Cones workshops, where participants are asked not to share with one another personal information or histories. The effect of this approach clearly resulted in many service users feeling that the workshops were **"not a hostile place to be"** (Service User H, Street Cones]

b. Peer Support and Encouragement

Another theme to emerge from the interviews undertaken related to the way in which service users took it upon themselves to support and encourage one another; thereby, building up each other's confidence and creating a welcoming and relaxed environment. It was interesting to note the way in which service users were actively seeking to create room for other participants to contribute, then positively reinforcing those contributions (this was especially significant in the case of any new members joining the workshops for the first time). This was evidenced by a Street Cones service user:

"What the group tends to do with somebody who is really shy, and they just put a mic on, we encourage them, we don't pick on them, we might create a joke and say what do you think of that then? You gently encourage them..." [Service User I, Street Cones]

Significantly, this was also a theme picked up on by a Nemo Arts Service Manager, who observed a peer support culture develop as the weeks passed. As they explained:

"... the first three weeks or whatever people were dead quiet... as is perfectly natural....and as the weeks went on really, they started to talk to each other and provide you know peer support to each other."

"It was a really interesting mix of backgrounds as well, you know, so the group really gelled... at the end of the session, rather than just turning it [Zoom] off without saying goodbye. They would hold up their pictures and show each other what they had done and complement each other... and you know it became a kind of supportive environment..." [Nemo Arts, Service Manager]

c. Forming Friendships and Counteracting Isolation

A final dynamic to emerge concerned the way in which service users engaged in the online workshops and built rapport with one another as the modules progressed. This is not to suggest that such friendships would not also have occurred within conventional forms of unpaid work 'other activity' for example, but it does indicate that digital methodologies are not necessarily a barrier to these types of relationship developing. In certain instances (for example, in the case of Nemo Arts), this even went as far as to create communication groups (e.g., WhatsApp) outside of the workshop sessions, where discussions could be continued, and art shared with one another:

"The other people in the group, I've actually made friends with them... We came on a journey together, and we've got a friendship from it, formed some sort of bond, it's mental, it's crazy!" [Service User G, Street Cones]

"…there was a group of us chatting on it and we set up a WhatsApp page…[to] show our paintings and things like that. It was lovely!" [Service User A, Nemo Arts]

The shared experience or journey that service users embarked on over multiple weeks - often in subjects or disciplines they had little or no experience in - was clearly an important factor in developing these bonds. Interestingly, however, there was also recognition from certain service users and service providers that the online workshops offered an opportunity to connect with others who may have been isolated as a consequence of Covid-19 and associated lockdowns. As was observed:

"… having that connectedness to people that you know during those kind of severe lockdown periods, people were really isolated, so having those two hours of contact with a group of people were really important to that group." [Nemo Arts, Service Manager]

Mental Health, Wellbeing and Confidence

Building on the positive peer to peer dynamics underpinning the online workshop sessions, another key theme that ran throughout the interviews undertaken concerned the profoundly positive impact engaging with the digital provision had on service users' mental health, wellbeing, and confidence. The following extracts offer just a small insight into the difference many felt it made to their overall welfare:

"…it really helped my self-esteem, it helped me in my own mindset, everything, honestly, amazing!" [Service User A, Nemo Arts]

It's a great great thing! – it's great for people's self-esteem, their confidence and everything. So, it would be a pity if it did stop! [Service User I, Street Cones]

"I used to come out of the call buzzing…ever been to the gym and the endorphin buzz…I was getting that after painting" [Service User D, Nemo Arts]

Significantly, it was noted by certain service users that this newfound confidence also extended to their digital confidence - an important transformative outcome. As one Nemo Arts participant explained, engaging with digital technology and applications via the online workshops was life changing.

"I had never used internet before then… now I have got an internet phone, I've got the tablet… so aye, it's changed my life in that respect…" [Service User D, Nemo Arts]

Exposure to New Experiences and Impact on Future Aspirations

For some service users, engaging with Street Cones and Nemo Arts online digital criminal justice provision exposed them to subjects or disciplines (e.g., art and drama) which they felt they otherwise would have been unlikely to access of their own accord.

This was a point powerfully made by one Street Cones participant who explained that it was:

"… like nothing I would ever have considered in my life…I'm east end of Glasgow…getting into a bit of trouble… I'd never have thought of acting or drama or anything like that… don't think I'd ever have been given the chance." [Service User G, Street Cones]

Building on this theme, certain service users also underlined how exposure to the digital criminal justice provision had subsequently made a difference to their future aspirations and goals. Given the recognised criminogenic nature of 'system-contact' (McAra and McVie, 2007), and the potential for individuals who have engaged with the criminal justice system to be labelled and stigmatised (Becker, 1963), this was both an encouraging finding and a clear pro-social outcome. Here, service users explained how taking part in the Nemo Arts workshops had resulted in members of their group exploring further educational opportunities:

"The art that was really good cause you sort of realise like, well this [service user] who's now going to college… [they are] not going to offend again… cause [they have] now got something. If that's the direction people are going, you will see benefits for that, even if it's not immediate." [Service User C, Nemo Arts]

Significantly, the 'future-impact' made by the digital provision on service users' life trajectories following on from the completion of modules was also noted by service providers. As one Nemo Arts facilitator explained in relation to service users accessing further education opportunities:

"The thing is, if they're taking that step to actually apply for college, they are actually looking at themselves a bit more, and giving themselves a bit more credit than what maybe they have received in the last ten years of their lives – folk telling them 'you're useless, you're wrong or whatever'. The fact that they have got that confidence and that ability to say to themself, no I am not useless, I can go do this now. I look at this as if that this is an actual stepping-stone that we are providing for folk." [Nemo Arts, Service Worker]

In addition to accessing future educational opportunities, other service users also explained how taking part in the online workshop sessions had resulted in them wanting to 'give something back' and explore job or career opportunities where they could potentially fulfil this ambition. As one Street Cones Service User explained:

"I've even been looking at careers in social care, and things like that maybe, just to see if I could give something back, you know what I mean. Not that I've got the knowledge or anything like that, but maybe just through my life experiences, through situations I've been in and how I've dealt with them… maybe I could help others deal with, or help them from doing similar things, you know what I mean?" [Service User G, Street Cones]

Continued Participation in the Provision

A consistent - and somewhat surprising - theme to emerge from within the interviews with Nemo Arts and Street Cones service users was that many actively continued to engage with the online workshops, even once they had completed the unpaid work 'other activity' hours that were required as part of their order. Here, various service users commented:

"It is an amazing course! I've actually said to the [Facilitator] I don't mind actually still participating, if you have got the space." [Service User H, Street Cones]

"Yeah, I just felt like it would be useful to have another week of practice. Another week of learning new stuff [….] I may as well do it another week." [Service User B, Nemo Arts]

Significantly, participants' desire to continue to take part in the digital provision was also observed by service providers, with a Nemo Arts facilitator explaining:

"There were folk suggesting that we are wanting to do another one outside of the CPO kind of thing… I think that speaks volumes about how popular it actually was that they wanted it to continue once the block had finished, once they had done their hours." [Nemo Arts, Service Worker]

Perceived Advantages Over In-Person Unpaid Work 'Other Activity'

Although some service users explained that they did not mind undertaking in-person forms of unpaid work 'other activity', a number of service users did also highlight at interview what they perceived to be specific advantages or benefits of undertaking the digital criminal justice provision, when compared to having to carry out conventional types of in-person unpaid work 'other activity'.

a. Reduced Feelings of Anxiety and Apprehension

At interview, a number of service users expressed feelings of anxiety or apprehension around the thought of having to undertake conventional forms of in-person unpaid work 'other activity', where they may have had to share a van or place of work with other service users, who they did not know well. Here, they expressed feeling more reassured and comfortable engaging with other service users within a virtual environment. Reflecting on this fact, certain service users commented that:

"This had been my first time ever doing it, so I was literally bricking it man! Before this was offered to me, and Street Cones came along, I was thinking oh no I am going to be in this van… [makes noises of other people] I don't want to be doing this, I was sweating, oh no I can't do this, just panicking." [Service User H, Street Cones]

b. A More Beneficial Experience

When compared to conventional forms of unpaid work 'other activity', there was also a feeling from certain service users that they found taking part in the online workshops a more beneficial experience:

"So, I learnt a lot about myself to be honest, cause your speaking, but when your sanding things down you're not really opening up about yourself, even in certain scenarios now I think, I actually learnt a lot about myself being on Street Cones." [Service User J, Street Cones]

Effects on Family and Friends

A further finding to emerge concerned the 'ripple effect' produced by the digital criminal justice provision; and particularly the impact for family members and friends. As a Nemo Arts Worker noted:

"…what I think is a big thing is the kind of ripple effect it has, so whatever you are teaching in the class, is actually getting further than the class, because it is going to families and families are benefitting from it as well - I think that is a really really good thing and it can't really be underestimated, it is so so important." [Nemo Arts, Service Worker]

Significantly, this was a dynamic also highlighted by service users who explained how the skills that they learnt within the online workshops, were also tangibly impacting upon their relatives' and friends' lives. As some Nemo Arts service users explained:

"I've started making paintings for people's birthdays and it's my brothers' birthday today… I've painted the enterprise D in space. And that's his gift, cause we're all big trekkies you know." [Service User C, Nemo Arts]

"I painted something for my wee brother, so you know I have been doing it in my spare time as well." [Service User B, Nemo Arts]

Challenges Within the Digital Justice Provision: Areas for Consideration

Although many of the themes emerging from the interviews with service users and providers as to their experiences of the digital criminal justice provision were extremely positive, attention was also drawn to a number of challenges (which could potentially be improved upon).

Greater Windows for Participation

When discussing potential improvements to the digital criminal justice provision, certain service users explained that they would like to have been able to participate in the online workshops for a longer duration (e.g., for longer hours). This was particularly noticeable in respect of Nemo Arts, where there was perceived to be scope for participants to potentially complete bigger projects or learn additional painting techniques if they had more time at the workshops:

"I would make the order hours longer….30 hours isn't much in the grand scheme of painting…we only covered 2 styles of painting… So, aye, make it longer." [Service User D, Nemo Arts]

"If obviously they were going to keep it going or whatever they should actually give people the chance to do more hours in it too, because obviously doing the films and the things they kinda do people can be doing only 30 hours so there maybe not getting time to see the end of it or whatever." [Service User J, Street Cones)

Significantly, this finding arguably possesses parallels with that of certain service users continuing to engage with the digital justice provision even after the conclusion of their unpaid work 'other activity' hours. In something of a related manner, certain service providers did also highlight that due to the lessening of restrictions, moving forward they would consider changing the timings of their online workshops to 'out of hours' slots, where participants may have greater availability. As a Nemo Arts Service Manager explained:

"I think maybe if we're doing it again, we may want to look at the time of day that we're doing it, because you know all services will be wanting people during the day…whether it's jobseekers, health appointments, the social work appointments, anything like that will all be during the day, so we may look at doing an out-of-hours alternative time slot for the next one." [Nemo Arts, Service Manager]

Digital Considerations

During the interviews, service users were asked about their experiences of accessing the digital justice provision. In relation to initially logging in to Microsoft Teams and Zoom platforms, many of the service users felt that this was largely a straightforward and simple process - and also commented favourably on the support offered by providers in the event of any difficulties transpiring (see previous chapter for support offered).

It was noted however by certain service users that they had encountered occasional difficulty in initially gaining access via the links provided, and also that it may be challenging if you possessed an older or less common mobile device:

"I think at the very start there was something going on and I was struggling to get in but eventually managed to get in, I think once or twice, but all the other times it was straight onto the call." [Service User E, Street Cones]

"I am not saying I have got a cheap phone, but I have not got one of the better known makes, I've got a [phone make], and it wouldn't accept Teams. As much as I tried, and even the [Facilitator] tired different links but my phone wouldn't accept it…" [Service User I, Street Cones]

Occasional difficulties accessing Microsoft Teams and Zoom links is not uncommon for all users of these applications - and it is encouraging that when these occurred, service users felt well supported by the providers.

In respect of incompatibility between applications such as Microsoft Teams and older mobile devices, this may be more of a challenge where significant numbers of service users are working from their own devices (as in the case of Street Cones). Here, where incompatibility issues exist, there may be merit in prioritising such individuals for new devices (e.g., tablets, mobile devices/ and data sims) if this can be achieved within any funding constraints.

Service users were also asked to comment on whether they had experienced any connectivity issues when accessing and engaging in the digital justice provision. Many reported that they did not experience any challenges with connectivity, but some service users did highlight that their signal was better in certain locations or settings, than others. As a Nemo Arts service user explained:

"I could only put the computer in 2 or 3 places in my house to actually get the signal, but it's just my house, it's just a bad signal all out – because they put the new cladding on the buildings, and it went really bad since then. But the minute I go outside with it, or go to my Mas with it, nae bother…perfect." [Service User D, Nemo Arts]

Again, connectivity issues when using video conferencing applications can be a fairly common occurrence for all users. However, it is still valuable to recognise that even where service users possess both devices and data packages, this does not necessarily preclude the possibility of there being challenges around connectivity which can interfere with participation. In respect of digital exclusion, a theme initially identified in the initial 'process' interviews with service providers, this was again highlighted. It was explained that either a lack of digital proficiency or device could ultimately exclude certain service users from taking part in the online digital justice provision, despite the best efforts of providers.

Referral Pathway/Process

A recurrent theme from the initial 'process' interviews concerned difficulties around consistently securing referrals into the digital criminal justice provision.

As previously highlighted, this was particularly a challenge for Sacro, where they experienced low numbers of referrals to their independent learning modules. In further explaining this 'system-challenge', and in reflecting back on the provision to date, a Sacro Service Manager explained that:

"… one of the biggest things has been the fact that with Covid-19, and the lockdown and the restrictions, people are not in the [social work] offices the same, they are not seeing service users the same. And I think one of the big things was they were maybe underestimating service users, so rather than let us make the decision where we could check out somebody's digital skills, they were screening them out before."

[Sacro, Service Manager]

As highlighted by the above quotation, the referral pathway into the Sacro provision was clearly made more complicated by Covid-19, and notably the lack of face-to-face interaction taking place between service users, social workers and Sacro workers was a significant challenge. It was clear from the interviews undertaken however, that significant expertise, thought and time had gone into the creation of the Sacro provision, both in respect of content and the digital support provided, and that there was enthusiasm around the potential impact the digital criminal justice provision could have for service users both now and in the future.

Interestingly, and somewhat relatedly, as lockdown restrictions have begun to ease, Nemo Arts have seen reductions in referrals to their digital criminal justice provision, and even when referrals have taken place, service users have not always been turning up for their initial session. This has resulted in lower numbers overall taking part in the second module (currently ongoing), compared to the first iteration. As a Nemo Arts Service Manager and Service Worker explained:

"So, we have received many less referrals. We've only had 5 referrals through…people have got other things they are doing. So, for instance, this week you know one of the guys had an appointment at the Jobcentre. So obviously previously people didn't have appointments, they weren't going anywhere, they didn't have other commitments."

[Nemo Arts, Service Manager]

"…it is just getting them into that initial first one to see how they get on. I think the hard bit is getting them engaged for that first time, seems to be the problem."

[Nemo Arts, Service Worker]

As highlighted by the quotations, the easing of restrictions may have had something of a knock-on impact on referrals to the digital criminal justice provision - which as explained is why Nemo Arts are potentially considering adapting their sessions to be 'out of hours'.

Some Final Thoughts on the Future of Digital Criminal Justice Provision

During the interviews, when discussing their future thoughts on digital criminal justice provision there was a consensus from all three service providers that a hybrid or blended approach to provision would be preferable; that is to say, complement their digital provision, with in-person workshops or aspects. In explaining this approach, Service Managers explained:

"I think the blended option is also a thing that we would take forward, and I think one of the difficulties for the in-person side of the session is that you know people are coming from all over Glasgow - it's a really big area, so travel for people into our spaces is tricky. And you know, I think always having that ability to do both Zoom and in-person at the same time, you know it gives us the whole city that people can access - if people are close enough, then they can be in-person as well." [Nemo Arts, Service Manager]

"If it was my decision, which isn't, but if it was my decision I would do blending - I would do both. I would give participants the opportunity to have both an in-person workshop, and also an online workshop, because that way they're getting the best of both worlds." [Street Cones, Service Manager]

"But I think now we would say, you know what you need to come and meet with [the Facilitator] she will help you decide the best way of work, and it'll be a bit of both. And that's part of this bit about this test for change, for us, for Sacro, we would do it as a blended bit now." [Sacro, Service Manager]

For the service users who expressed an opinion, many were positive about their experience, and the impact it had made on their lives, and spoke passionately about the digital justice provision being extended post pandemic. These views are best summed up in the following remarks made by Street Cones and Nemo Arts service users:

"I would keep it, because it does wonders for people, I've watched it, I've watched it myself, so it's not as if I am saying I think this will do wonders, I've watched it do wonders for people's confidence… it would be a shame if it ended." [Service User I, Street Cones]

"I understand it is costing a lot of money for tablets and subscriptions and paints and paper and all the rest of it, but it's what people are getting out of it!… I can't champion it any more than I am trying, I can only tell them honestly what I think!" [Service User D, Nemo Arts]

As clearly evidenced by the above findings, engagement with the digital criminal justice provision has positively impacted the lives of many service users in a variety of ways. For example, some service users felt it had improved their mental health, wellbeing and confidence; had allowed them to access new experiences and gain new skills; and in some instances, even motivated them to explore education and employment pathways. Here, service users also explained that they valued the friendships they established; the accessibility, flexibility and privacy that the online provision afforded them; and also welcomed the role played by knowledgeable and skilled facilitators. Although, a number of challenges were also identified - for example, in respect of addressing specific linguistic needs, the efficacy at times of referral pathways, as well as certain digital considerations - it is ultimately suggested that the digital criminal justice provision resulted in a range of positive outcomes for service users, and played a valuable and important role in meeting their needs during the pandemic.

REFERENCES

Audit Scotland (2021). Digital progress in Local Government. Retrieved from: https://www.audit-scotland.gov.uk/uploads/docs/report/2021/nr_210114_digital_progress_lg.pdf

Barn, R., & Barn, B, S. (2019). Youth Justice in the Digital Age: A Case Study of Practitioners' Perspectives on the Challenges and Opportunities of Social Technology in Their Techno-Habitat in the United Kingdom, Youth Justice, 19, 3, pp.185-205.

Barsky, A, E. (2017). Social Work Practice and Technology: Ethical Issues and Policy Responses, Journal of Technology in Human Services, 35, 1, pp.8-19.

Becker, H. S. (1963). Outsiders: Studies in the Sociology of Deviance. New York: Free Press.

Braun, V. and Clarke, V. (2006). Using thematic analysis in psychology. Qualitative Research in Psychology, 3, 2, pp.77-101.

British Association of Social Workers (2021). Social Work During the Covid-19 Pandemic: Initial Findings. Retrieved from: https://www.basw.co.uk/system/files/resources/basw_social_working_during_the_covid_19_pandemic_initial_findings_26.01.21.pdf

Carnegie Trust (2020). Learning from Lockdown: 12 Steps to Eliminate Digital Exclusion. Retrieved from: https://d1ssu070pg2v9i.cloudfront.net/pex/carnegie_uk_trust/2020/10/14161948/Carnegie-Learning-from-lockdown-Report-FINAL.pdf

Citizens Advice Scotland (2018). Disconnected, Understanding Digital Inclusion and Improving Access. Retrieved from: https://www.cas.org.uk/system/files/publications/cas_disconnected_report.pdf

Chan, C. (2016). A Scoping Review of Social Media Use in Social Work Practice, Journal of Evidence-Informed Social Work, 13, 3. pp.263-276.

Chan, C., & Holosko, M. (2015). A Review of Information and Communication Technology Enhanced Social Work Interventions. Research on Social Work Practice. 26,1, pp.88-100.

Children's Hearings Scotland (2020). Coronavirus Practice Guidance. Version 3.1. Retrieved from: https://www.chscotland.gov.uk/media/zdbpttmi/coronavirus-practice-guide-v3-1.pdf

Community Justice Scotland (2021). Community Payback Order, Summary of Local Authority Annual Reports 2019-20. Retrieved from: https://communityjustice.scot/wp-content/uploads/2021/03/CJS-CPO-Annual-Report-2019-20-01-v1.0.pdf

Good Things Foundation (2020). Covid-19 Response Report, 23 March-16 June 2020. Retrieved from: https://www.goodthingsfoundation.org/insights/covid-19-response-report/

Holmes, H., & Burgess, G. (2020). "Pay the wi-fi or feed the children" Coronavirus has intensified the UK's digital divide. Retrieved from: https://www.cam.ac.uk/stories/digitaldivide

Inspiring Scotland (2020). Digital Exclusion in Scotland. Retrieved from: https://www.inspiringscotland.org.uk/wp-content/uploads/2020/06/Digital-Exclusion-in-Scotland-final-full-report-1.pdf

Lloyds Bank (2020). Lloyds Bank UK Consumer Digital Index 2020. London: Lloyds Bank.

MacRae, A. & Clark, A. (2020). Police officers' awareness of the speech, language and communication needs of young offenders. The Police Journal. doi:10.1177/0032258X20968591

McAra, L., & McVie, S. (2007). 'Youth Justice? The Impact of System Contact on Patterns of Desistance from Offending'. European Journal of Criminology, 4,3, pp. 315-345.

Mishna, F., Bogo, M., Root, J., Sawyer, J-L., & Khoury-Kassabri, M. (2012). "It just crept in": The Digital Age and Implications for Social Work Practice. Clinical Social Work Journal, 40, pp.277–286.

Morrison, K., Buchan, J., & Wooff, A. (2021). The Criminal Justice System in Scotland. Retrieved from: https://learninglink.oup.com/access/case2e-student-resources#tag_all-chapters

Ofcom (2021). Children and parents: media use and attitudes report 2020/21 Retrieved from: https://www.ofcom.org.uk/research-and-data/media-literacy-research/childrens/children-and-parents-media-use-and-attitudes-report-2021

Office for National Statistics (2019). Exploring the UK's Digital Divide. Retrieved from: https://www.ons.gov.uk/peoplepopulationandcommunity/householdcharacteristics/homeinterhomeinternetandsocialm/articles/exploringtheuksdigitaldivide/2019-03-04

Pink, S., Ferguson, H., & Kelly, L. (2021). Digital social work: Conceptualising a hybrid anticipatory practice. Qualitative Social Work. pp.1-18, doi:10.1177/14733250211003647

Porter, B. R., Gillon, F., Mitchell, F., Vaswani, N., & Young, E. (2021). Children's rights in Children's Hearings: The Impact of Covid-19. The International Journal of Children's Rights, 29, pp.426-446.

Prisoner Learning Alliance (2020). The digital divide: Lessons from prison abroad. London: PLA.

Ramsey, A. T., & Montgomery, K. (2014). Technology-based interventions in social work practice: a systematic review of mental health interventions. Social work in health care, 53, 9, pp.883–899.

Reamer, F, G. (2013). Social Work in a Digital Age. Ethical and Risk Management Challenges. Faculty Publications, 391. Retrieved from: https://digitalcommons.ric.edu/cgi/viewcontent.cgi?article=1394&context=facultypublications

Scottish Association of Social Work (2020). Letter for Humza Yousaf MSP Cabinet Secretary for Justice from SASW. Impact of the recovery and restart of the justice system on social work. Retrieved from: https://www.basw.co.uk/resources/letter-humza-yousaf-msp-cabinet-secretary-justice-sasw

Scottish Courts and Tribunals Service (2020). Covid-19: Respond, Recover, Renew, Supporting Justice through the Pandemic and Beyond. Retrieved from: https://www.scotcourts.gov.uk/docs/default-source/default-document-library/coronavirus-docs/covid-modelling-reports-and-other/covid-19---scts-respond-recover-renew.pdf?sfvrsn=2

Scottish Government (2010). Adult Literacies in Scotland 2020: Strategic Guidance. Edinburgh: Scottish Government.

Scottish Government (2014). The Digital Justice Strategy for Justice in Scotland. Edinburgh: Scottish Government.

Scottish Government (2018). Introducing Digital Justice and Safety. Retrieved from: https://blogs.gov.scot/justice-safety/2018/08/09/introducing-justice-digital-strategy/

Scottish Government (2019). Community Payback Order Practice Guidance. Edinburgh: Scottish Government

Scottish Government (2021a). Justice Vision and Priorities Delivery Report – Key Achievements and Impact of Covid-19. Crime and Justice. Edinburgh: Scottish Government.

Scottish Government (2021b). Community Payback Orders. Edinburgh: Scottish Government.

Scottish Parliament (2021). Meeting of the Parliament (Virtual) 18 February 2021. Retrieved from: https://archive2021.parliament.scot/parliamentarybusiness/report.aspx?r=13135&mode=html#iob_118893

Social Care Institute for Excellence & British Association of Social Workers (2019). Digital Capabilities for Social Workers: Stakeholders Report. Retrieved from: https://www.scie.org.uk/social-work/digital-capabilities/stakeholders

Social Work Scotland (2020). Reducing the backlog of Unpaid Work hours: Coronavirus (Scotland) Act 2020. Social Work Scotland Position Paper. Retrieved from: https://socialworkscotland.org/briefings/reducing-the-backlog-of-unpaid-work-hours-coronavirus-scotland-act-2020/

Social Work Scotland (2020b). Letter to the Clerk of the Justice Committee. Retrieved from: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/viewer.html?pdfurl=https%3A%2F%2Farchive2021.parliament.scot%2FS5_JusticeCommittee%2FInquiries%2F20200605_SocialWorkScotland_Covid-19.pdf&clen=256443&chunk=true

UK Government (2014). Government Digital Inclusion Strategy. Retrieved from: https://www.gov.uk/government/publications/government-digital-inclusion-strategy/government-digital-inclusion-strategy#people-who-are-digitally-excluded